

ESTTA Tracking number: **ESTTA512832**

Filing date: **12/21/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Facebook, Inc.
Granted to Date of previous extension	01/02/2013
Address	1601 Willow Rd. Menlo Park, CA 94025 UNITED STATES

Attorney information	Kathryn D. Duvall Cooley LLP 777 6th St., NWSuite 1100 Washington, DC 20001 UNITED STATES trademarks@cooley.com , kduvall@cooley.com , lmayall@cooley.com , nmcMahon@cooley.com Phone:650-843-5000
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Applicant Information

Application No	85588351	Publication date	09/04/2012
Opposition Filing Date	12/21/2012	Opposition Period Ends	01/02/2013
Applicant	facewerk Suite # 508 11203 Ranch Road 2222 Austin, TX 78730 UNITED STATES		

Goods/Services Affected by Opposition


Class 042. All goods and services in the class are opposed, namely: Computer services, namely, providing an interactive web site featuring technology that allows users to consolidate and manage social networks, accounts, and connections to existing and emerging application programming interfaces (APIs); Consulting services in the field of computer-based information systems for businesses

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)


Marks Cited by Opposer as Basis for Opposition

U.S. Application No.	85147955	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority	NONE

		Date	
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 045. First use: First Use: 2004/02/04 First Use In Commerce: 2004/02/04 Social introduction, networking and dating services; providing social services and information in the field of personal development, namely, self-improvement, self-fulfillment, charitable, philanthropic, volunteer, public and community services, and humanitarian activities; Identification verification services, namely, providing authentication of personal identification information		

U.S. Application No.	85147937	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: providing computer, electronic and online databases in the field of cultural commentary, social entertainment events, art, performing arts, music, dance, and education; on-line journals, namely, blogs in the fields of cultural commentary, social entertainment events, art, performing arts, music, dance, education, politics, culture, economics, and science; electronic publishing services, namely, publication of text and graphic works of others via computer and communications networks in the fields of cultural commentary, social entertainment events, art, performing arts, music, dance, education, politics, culture, economics, and science; publishing of electronic publications; entertainment services, namely, providing temporary use of interactive, multiplayer and single player games for games played via computer or communication networks; providing information about online non-downloadable		

	computer games and video games via computer or communication networks; arranging and conducting competitions for video gamers and computer game players; contest and incentive award programs designed to recognize, reward and encourage individuals and groups which engage in self-improvement, self-fulfillment, charitable, philanthropic, volunteer, public and community service and humanitarian activities and sharing of creative work product
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U.S. Application No.	85440333	Application Date	10/05/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.		
Goods/Services	<p>Class 016. First use: Cards, namely, business cards and non-magnetically encoded identity cards</p> <p>Class 035. First use: Business card design services</p> <p>Class 040. First use: Printing services</p> <p>Class 042. First use: Providing temporary use of online non-downloadable software for creating business and identity cards for facilitating social and business networking; developing customized web pages and other data feed formats featuring user-defined information in the form of online business and identity cards for facilitating social and business networking; identity card design services</p>		

U.S. Application No.	85440332	Application Date	10/05/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			


Description of Mark	NONE
Goods/Services	<p>Class 016. First use: Cards, namely, business cards and non-magnetically encoded identity cards</p> <p>Class 035. First use: Business card design services</p> <p>Class 040. First use: Printing services</p> <p>Class 042. First use: Providing temporary use of online non-downloadable software for creating business and identity cards for facilitating social and business networking; developing customized web pages and other data feed formats featuring user-defined information in the form of online business and identity cards for facilitating social and business networking; identity card design services</p>


U.S. Application No.	85147930	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	FACEBOOK
Design Mark	

Description of Mark	NONE
Goods/Services	<p>Class 038. First use: providing access to computer databases in the fields of social networking, social introduction and dating; peer-to-peer photo sharing services, namely, electronic transmission of digital photo files among internet users; providing access to computer, electronic and online databases; telecommunications services, namely, electronic transmission of data, messages and information; providing online forums for communication on topics of general interest; providing online communications links which transfer web site users to other local and global web pages; providing user access to third party web sites hosted on computer servers accessible via a global computer network; providing online chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; broadcast communication services, namely, electronic transmission of audio and video over computer or other communication networks, and electronic transmission of data, information, audio and video images; delivery of digital music by electronic transmission; text messaging services</p>

U.S. Application No.	85147898	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority	NONE

		Date	
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use:</p> <p>compiling of information into computer databases; marketing, advertising and promotion services; market research services, namely, research in the fields of collegiate life, virtual community and social networking; advertising services, namely, promoting the goods and services of others via computer and communication networks; operating on-line marketplaces for sellers of goods and/or services; online retail store services featuring digital media, namely, pre-recorded digital sound, video and data recordings featuring music, text, video, games, comedy, drama, action, adventure or animation; charitable services, namely, promoting public awareness about charitable, philanthropic, volunteer, public and community service and humanitarian activities</p>		

U.S. Application No.	85147950	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 042. First use:</p> <p>computer services, namely, creating on-line virtual communities for registered users to organize groups and events, participate in discussions, and engage in social, business and community networking; computer services, namely, hosting on-line web facilities for others for organizing and conducting meetings, events and interactive discussions via communication networks; application service provider (ASP) services, namely, hosting computer software applications of others; application service provider (ASP) featuring software to enable or</p>		

	<p>facilitate the uploading, downloading, streaming, posting, displaying, blogging, linking, sharing of audio and video content, photographic images, text, graphics and data; providing an online network service that enables users to transfer personal identity data to and share personal identity data with and among multiple websites; providing a web site featuring technology that enables online users to create personal profiles featuring social networking information and to transfer and share such information among multiple websites; computer services, namely, creating indexes of information, sites and other resources available on computer networks; providing temporary use of non-downloadable software applications for enabling, facilitating, or enhancing social networking, creating a virtual community, and transmission of audio, video, photographic images, text, graphics and data; computer services in the nature of customized web pages featuring user-defined or specified information, personal profiles, audio and video content, photographic images, text, graphics and data; peer-to-browser photo sharing services, namely, providing a website featuring technology enabling users to upload, view, and download digital photos; providing a web site featuring technology that enables users to upload and share video, photos, text, graphics and data; creating and maintaining blogs for others; providing a web hosting platform for use of non-downloadable software for enabling, facilitating or enhancing interactive, multiplayer and single player games for third parties</p>
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U.S. Application No.	85147910	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 036. First use:</p> <p>Financial transaction processing services, namely, clearing and reconciling financial transactions via computer and communication networks; Electronic processing and transmission of bill payment data for users of computer and communication networks; Electronic funds transfer services; Bill payment services; Financial exchange services, namely, providing a virtual currency for use by members of an online community via computer and communication networks</p>		

U.S. Application No.	85147879	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		


Design Mark	FACEBOOK
Description of Mark	NONE
Goods/Services	Class 009. First use: Computer software development tools; Computer software for use as an application programming interface (API); Application programming interface (API) for computer software which facilitates online services for social networking, building social networking applications and for allowing data retrieval, upload, download, access and management; Computer software to enable uploading, downloading, accessing, posting, displaying, tagging, blogging, streaming, linking, sharing or otherwise providing electronic media or information via computer and communication networks

U.S. Application No.	85121349	Application Date	09/01/2010
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	FACEBOOK
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Design Mark	
Description of Mark	The mark consists of the word "FACEBOOK" in white letters inside of a blue rectangle background.
Goods/Services	Class 009. First use: Magnetically encoded gift cards Class 016. First use: Gift cards Class 035. First use: Pre-paid gift card services, namely, issuing gift card certificates that may be redeemed for goods or services

U.S. Application No.	85121339	Application Date	09/01/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: Magnetically encoded gift cards Class 016. First use: Gift cards Class 035. First use: Pre-paid gift card services, namely, issuing gift card certificates that may be redeemed for goods or services


U.S. Registration No.	3122052	Application Date	02/24/2005
Registration Date	07/25/2006	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2004/11/16 First Use In Commerce: 2004/11/16 [providing an online directory information service featuring information regarding, and in the nature of, collegiate life, classifieds, virtual community and social networking] Class 038. First use: First Use: 2004/11/16 First Use In Commerce: 2004/11/16 providing online chat rooms for registered users for transmission of messages concerning collegiate life, classifieds, virtual community and social networking		

U.S. Registration No.	3659516	Application Date	08/29/2006
Registration Date	07/21/2009	Foreign Priority Date	NONE


Word Mark	FACEBOOK
Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2006/02/00 First Use In Commerce: 2006/02/00 Clothing for men women, and children, namely, shirts, t-shirts, jackets, tops, sweat shirts, headwear, hats, caps

U.S. Registration No.	3826546	Application Date	08/29/2006
Registration Date	07/27/2010	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2010/05/06 First Use In Commerce: 2010/05/06 Clothing for men, women and children, namely, bottoms, pants, loungewear, sweat pants		

U.S. Registration No.	3881770	Application Date	06/29/2006
Registration Date	11/23/2010	Foreign Priority Date	NONE
Word Mark	FACEBOOK		

Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 2004/02/04 First Use In Commerce: 2004/04/00 Advertising and information distribution services, namely, providing classified advertising space via the global computer network; promoting the goods and services of others over the Internet; providing on-line computer databases and on-line searchable databases in the field of classifieds</p> <p>Class 038. First use: First Use: 2004/02/04 First Use In Commerce: 2004/02/04 Providing online chat rooms and electronic bulletin boards for registered users for transmission of messages concerning collegiate life, general interest, classifieds, virtual community, social networking, photo sharing, and transmission of photographic images; provision of on-line forums for the transmission of photographic images; provision of on-line forums for communications on topics of general interest</p> <p>Class 041. First use: First Use: 2004/02/04 First Use In Commerce: 2004/02/04 Providing on-line computer databases and on-line searchable databases in the field of collegiate life concerning college athletics, concerts, entertainment events, art, performing arts, music, dance and academics; providing on-line computer databases and on-line searchable databases featuring collegiate student groups concerning subjects in the fields of academics and entertainment</p> <p>Class 042. First use: First Use: 2004/02/04 First Use In Commerce: 2004/02/04 Computer services, namely, hosting online web facilities for others for organizing and conducting online meetings, gatherings, and interactive discussions; and computer services in the nature of customized web pages featuring user-defined information, personal profiles and information; computer services, namely, creating an on-line community for registered users to participate in discussion, get feedback from their peers, form virtual communities, and engage in social networking; peer-to-browser photo sharing services, namely, providing a website featuring technology enabling users to upload, view and download digital photos</p> <p>Class 045. First use: First Use: 2004/02/04 First Use In Commerce: 2004/02/04 Internet based introduction and social networking services; providing on-line computer databases and on-line searchable databases in the field of social networking</p>		

U.S. Registration No.	3041791	Application Date	02/24/2005
Registration Date	01/10/2006	Foreign Priority Date	NONE
Word Mark	FACEBOOK		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 035. First use: First Use: 2004/02/04 First Use In Commerce: 2004/02/04 providing an online directory information service featuring information regarding, and in the nature of, collegiate life, classifieds, virtual community and social networking</p> <p>Class 038. First use: First Use: 2004/02/04 First Use In Commerce: 2004/02/04 providing online chat rooms for registered users for transmission of messages concerning collegiate life, classifieds, virtual community and social networking</p>


U.S. Registration No.	4129126	Application Date	12/17/2009
Registration Date	04/17/2012	Foreign Priority Date	NONE


Word Mark	FACEBOOK
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Design Mark	
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Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.
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Goods/Services	<p>Class 035. First use: First Use: 2004/02/04 First Use In Commerce: 2004/02/04 Marketing, advertising and promotion services; market research and information services; advertising services, namely, promoting the goods and services of others via computer and communication networks; operating on-line marketplaces for sellers of goods and/or services; online retail store services featuring digital media, namely, pre-recorded digital sound, video and data recordings featuring music, text, video, games, comedy, drama, action, adventure or animation; charitable services, namely, promoting public awareness about charitable, philanthropic, volunteer, public and community service and humanitarian activities</p> <p>Class 038. First use: First Use: 2009/04/00 First Use In Commerce: 2009/04/00 Delivery of digital music by electronic transmission</p> <p>Class 041. First use: First Use: 2007/09/00 First Use In Commerce: 2007/09/00 Contest and incentive award programs designed to recognize, reward and encourage individuals and groups which engage in self-improvement, self-fulfillment, charitable, philanthropic, volunteer, public and community service and</p>
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humanitarian activities and sharing of creative work product			
U.S. Registration No.	4102824	Application Date	12/17/2009
Registration Date	02/21/2012	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.		
Goods/Services	<p>Class 038. First use: First Use: 2005/08/00 First Use In Commerce: 2005/08/00 Providing access to computer databases in the fields of social networking, social introduction and dating</p> <p>Class 045. First use: First Use: 2005/08/00 First Use In Commerce: 2005/08/00 Social introduction, networking and dating services; providing social services and information in the field of personal development, namely, self-improvement, self-fulfillment, charitable, philanthropic, volunteer, public and community services, and humanitarian activities</p>		

U.S. Registration No.	4102823	Application Date	12/17/2009
Registration Date	02/21/2012	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.		
Goods/Services	<p>Class 035. First use: First Use: 2005/08/00 First Use In Commerce: 2005/08/00 Compiling of information into computer databases</p> <p>Class 042. First use: First Use: 2005/08/00 First Use In Commerce: 2005/08/00 Computer services, namely, creating on-line virtual communities for registered users to organize groups and events, participate in discussions, and engage in social, business and community networking; computer services, namely, hosting electronic facilities for others for organizing and conducting meetings, events and interactive discussions via communication networks; application service</p>		

	<p>provider (ASP) services, namely, hosting computer software applications of others; application service provider (ASP) featuring software to enable or facilitate the uploading, downloading, streaming, posting, displaying, blogging, linking, sharing or otherwise providing electronic media or information over communication networks; providing an online network service that enables users to transfer personal identity data to and share personal identity data with and among multiple websites; providing a web site featuring technology that enables online users to create personal profiles featuring social networking information and to transfer and share such information among multiple websites; computer services, namely, creating indexes of information, sites and other resources available on computer networks; providing temporary use of non-downloadable software applications for social networking, creating a virtual community, and transmission of audio, video, photographic images, text, graphics and data; computer services in the nature of customized web pages featuring user-defined or specified information, personal profiles, audio, video, photographic images, text, graphics and data</p>
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U.S. Registration No.	4102822	Application Date	12/17/2009
Registration Date	02/21/2012	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.		
Goods/Services	<p>Class 038. First use: First Use: 2005/08/00 First Use In Commerce: 2005/08/00 Peer-to-peer photo sharing services, namely, electronic transmission of digital photo files among internet users</p> <p>Class 041. First use: First Use: 2005/08/00 First Use In Commerce: 2005/08/00 Providing computer, electronic and online databases in the field of entertainment and in the fields of secondary, collegiate, social and community interest groups; on-line journals, namely, blogs in the fields of entertainment, education, social, political, cultural, economic, scientific and general interest; electronic publishing services, namely, publication of text and graphic works of others via computer and communications networks in the fields of entertainment, education, social, political, cultural, economic, scientific and general interest; publishing of electronic publications; entertainment services, namely, providing temporary use of interactive, multiplayer and single player games for games played via computer or communication networks; providing information about online computer games and video games via computer or communication networks; arranging and conducting competitions for video gamers and computer game players</p> <p>Class 042. First use: First Use: 2005/08/00 First Use In Commerce: 2005/08/00 Peer-to-browser photo sharing services, namely, providing a website featuring technology enabling users to upload, view, and download digital photos; providing a web site featuring technology that enables users to upload and share video, photos, text, graphics and data; creating and maintaining blogs for</p>		

	others; providing a web hosting platform for use of non-downloadable software in connection with interactive, multiplayer and single player games for third parties
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U.S. Registration No.	3716926	Application Date	03/07/2007
Registration Date	11/24/2009	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 018. First use: First Use: 2005/09/00 First Use In Commerce: 2005/09/00 Bags, namely, all purpose sports bags, all purpose carrying bags, bags and hold-alls for sports clothing, tote bags, book bags, carry-all bags, traveling bags; umbrellas; briefcase-type portfolios</p> <p>Class 020. First use: First Use: 2005/09/00 First Use In Commerce: 2005/09/00 Picture frames</p> <p>Class 021. First use: First Use: 2009/05/00 First Use In Commerce: 2009/05/00 Insulating sleeves for beverage cans; insulating sleeves for beverage bottles; portable can coolers; portable bottle coolers; thermally insulated containers for beverages</p>		

U.S. Registration No.	4099518	Application Date	12/17/2009
Registration Date	02/14/2012	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.		
Goods/Services	Class 038. First use: First Use: 2005/08/00 First Use In Commerce: 2005/08/00 Providing access to computer, electronic and online databases;		

	<p>telecommunications services, namely, electronic transmission of data, messages and information; providing online forums for communication on topics of general interest; providing online communications links which transfer web site users to other local and global web pages; providing access to web sites for others hosted on computer servers accessible via a global computer network; providing access to third party web sites by enabling users to log in through a universal username and password via a global computer network and other communication networks; providing online chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; audio, text and video broadcasting services over the Internet or other communications networks featuring the uploaded, posted and tagged audio, text and video content of others; audio, text and video broadcasting services over the Internet or other communications networks, namely, electronically transmitting audio clips, text and video clips of others</p> <p>Class 045. First use: First Use: 2008/12/00 First Use In Commerce: 2008/12/00</p> <p>Identification verification services, namely, providing authentication of personal identification information</p>
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U.S. Registration No.	3935447	Application Date	12/17/2009
Registration Date	03/22/2011	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.		
Goods/Services	<p>Class 009. First use: First Use: 2006/08/00 First Use In Commerce: 2006/08/00</p> <p>Computer software development tools; Computer software for use as an application programming interface (API); Application programming interface (API) for computer software which facilitates online services for social networking, building social networking applications and for allowing data retrieval, upload, download, access and management; Computer software to enable uploading, downloading, accessing, posting, displaying, tagging, blogging, streaming, linking, sharing or otherwise providing electronic media or information via computer and communication networks</p>		

U.S. Registration No.	3801147	Application Date	11/07/2006
Registration Date	06/08/2010	Foreign Priority Date	NONE
Word Mark	FACEBOOK		


Design Mark	FACEBOOK
Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 2006/08/00 First Use In Commerce: 2006/08/00 Computer software development tools for social networking, building social networking applications and for allowing data retrieval, upload, access and management; application programming interface (API) for third-party software and online services for social networking, building social networking applications and for allowing data retrieval, upload, access and management</p> <p>Class 038. First use: First Use: 2004/02/00 First Use In Commerce: 2004/02/00 providing access to computer databases; electronic transmission of instant messages and data</p> <p>Class 041. First use: First Use: 2004/02/00 First Use In Commerce: 2004/02/00 Electronic publishing services, namely, publishing of online works of others featuring user-created text, audio, video, and graphics; providing on-line journals and web logs featuring user-created content</p> <p>Class 042. First use: First Use: 2004/02/00 First Use In Commerce: 2004/02/00 Providing temporary use of non-downloadable software applications for classifieds, virtual community, social networking, photo sharing, and transmission of photographic images</p>

U.S. Registration No.	3734637	Application Date	05/24/2007
Registration Date	01/05/2010	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark	FACEBOOK		
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2006/08/00 First Use In Commerce: 2006/08/00 Software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet</p>		

	<p>or other communications network</p> <p>Class 038. First use: First Use: 2004/02/00 First Use In Commerce: 2004/02/00 Audio and video broadcasting services over the Internet or other communications network, namely, uploading, posting, showing, displaying, tagging and electronically transmitting information, audio, and video clips; providing on-line chat rooms, listservers, and on-line forums for transmission of messages among computer users concerning user-defined content; providing on-line chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest</p> <p>Class 041. First use: First Use: 2004/02/00 First Use In Commerce: 2004/02/00 On-line journals, namely, blogs featuring user-defined content</p> <p>Class 042. First use: First Use: 2004/02/00 First Use In Commerce: 2004/02/00 Application service provider (ASP) featuring software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications network</p>
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U.S. Registration No.	3917332	Application Date	03/07/2007
Registration Date	02/08/2011	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 018. First use: First Use: 2010/05/00 First Use In Commerce: 2010/05/00 Bags, namely, backpacks, beach bags, gym bags; drawstring pouches</p> <p>Class 021. First use: First Use: 2009/09/11 First Use In Commerce: 2009/09/11 Bottle openers; plastic cups; mugs; cups; foam drink holders; glass and porcelain giftware, namely, cups; beverage glassware</p>		

U.S. Registration No.	3814888	Application Date	11/07/2006
Registration Date	07/06/2010	Foreign Priority Date	NONE
Word Mark	FACEBOOK		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 2007/06/00 First Use In Commerce: 2007/06/00 Providing temporary use of non-downloadable software applications for video sharing

U.S. Application No.	78980756	Application Date	12/01/2005
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 038. First use: Telecommunication services, namely, providing online chat rooms and electronic bulletin boards for transmission of messages among computer users in the field of general interest and concerning social and entertainment subject matter, none primarily featuring or relating to motoring or to cars		

U.S. Application No.	77896317	Application Date	12/17/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		

Design Mark	
Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.
Goods/Services	Class 036. First use: Financial transaction processing services, namely, clearing and reconciling financial transactions via computer and communication networks; Electronic processing and transmission of bill payment data for users of computer and communication networks; Electronic funds transfer services; Bill payment services; Financial exchange services, namely, providing a virtual currency for use by members of an online community via computer and communication networks

Attachments	85147955#TMSN.jpeg (1 page)(bytes) 85147937#TMSN.jpeg (1 page)(bytes) 85440333#TMSN.jpeg (1 page)(bytes) 85440332#TMSN.jpeg (1 page)(bytes) 85147930#TMSN.jpeg (1 page)(bytes) 85147898#TMSN.jpeg (1 page)(bytes) 85147950#TMSN.jpeg (1 page)(bytes) 85147910#TMSN.jpeg (1 page)(bytes) 85147879#TMSN.jpeg (1 page)(bytes) 85121349#TMSN.jpeg (1 page)(bytes) 85121339#TMSN.jpeg (1 page)(bytes) 78574730#TMSN.jpeg (1 page)(bytes) 78981126#TMSN.jpeg (1 page)(bytes) 78962629#TMSN.jpeg (1 page)(bytes) 78920322#TMSN.jpeg (1 page)(bytes) 78574726#TMSN.jpeg (1 page)(bytes) 77896315#TMSN.jpeg (1 page)(bytes) 77896325#TMSN.jpeg (1 page)(bytes) 77896323#TMSN.jpeg (1 page)(bytes) 77896322#TMSN.jpeg (1 page)(bytes) 77978174#TMSN.jpeg (1 page)(bytes) 77896318#TMSN.jpeg (1 page)(bytes) 77896312#TMSN.jpeg (1 page)(bytes) 77979375#TMSN.jpeg (1 page)(bytes) 77189479#TMSN.jpeg (1 page)(bytes) 77125103#TMSN.jpeg (1 page)(bytes) 77039123#TMSN.jpeg (1 page)(bytes) 78980756#TMSN.jpeg (1 page)(bytes) 77896317#TMSN.jpeg (1 page)(bytes) Facebook Notice of Opposition re FACEWERK_12_21_2012.pdf (60 pages)(3938581 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address

record by First Class Mail on this date.

Signature	/KDD/
Name	Kathryn D. Duvall
Date	12/21/2012

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of application Serial No. 85/588,351
For the Trademark FACEWERK And Design
Published in the Official Gazette on September 4, 2012

FACEBOOK, INC.,)	
)	
Opposer,)	
)	Opposition No.
v.)	
)	
FACEWERK, LLC,)	
)	
Applicant.)	
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NOTICE OF OPPOSITION

Opposer Facebook, Inc. ("Facebook"), a Delaware corporation having its principal place of business at 1601 Willow Rd., Menlo Park, California 94025, believes that it will be damaged by the issuance of a registration for the mark FACEWERK And Design (the "FACEWERK Mark" or "Applicant's Mark"), as applied for in Application Serial No. 85/588,351 filed on April 3, 2012 by Applicant Facewerk, LLC. ("Applicant"), a Texas limited liability company located at 11203 Ranch Road 2222, Suite #508, Austin, Texas 78730.

As grounds for opposition, Facebook alleges that:

1. Since its online networking service was launched in February 2004, Facebook has continuously used the mark FACEBOOK in interstate commerce in the United States in connection with its goods and services.
2. Facebook owns multiple U.S. registrations for the mark FACEBOOK. These registrations cover a wide variety of goods and services, including, but not limited to:

- Creating an on-line community for registered users to participate in discussion, get feedback from their peers, form virtual communities, and engage in social networking;
- Internet based introduction and social networking services;
- Online chat functions for transmission of messages, photographs, videos, and other user-defined content;
- Online forums;
- Audio and video broadcasting services over the Internet or other communications network for uploading, posting, showing, displaying, tagging and sharing audio, and video clips; and
- Software to enable uploading, tagging, and sharing of photographs, videos, and other user-defined content or information.

3. True and correct copies of registrations for the FACEBOOK mark are attached hereto as Exhibit A, and are incorporated by reference as though fully set forth herein.

4. In addition, Facebook owns common law rights in the FACEBOOK and FACE mark and marks that incorporate FACEBOOK in connection with various other goods and services, including as identified in pending U.S. trademark applications. True and correct copies of the U.S. Patent and Trademark Office online status pages for Facebook's pending trademark applications for its FACEBOOK, FACE, and FACEBOOK-formative marks are attached hereto as Exhibit B, and are incorporated by reference as though fully set forth herein. All of Facebook's marks that consist of or incorporate the term FACEBOOK or FACE are referred to herein as the "FACEBOOK Marks."

5. The FACEBOOK mark is highly distinctive with regard to online networking goods and services. Moreover, through Facebook's widespread use of the FACEBOOK Marks, extensive and continuous media coverage, the high degree of consumer recognition of the FACEBOOK Marks, Facebook's enormous and loyal user base, its numerous trademark registrations and pending applications, and other factors, the FACEBOOK Marks have become

famous within the meaning of Section 43(c) of the United States Trademark Act, 15 U.S.C. § 1125(c).

6. On April 3, 2012, Applicant filed an application to register the FACEWERK Mark for: “Computer services, namely, providing an interactive web site featuring technology that allows users to consolidate and manage social networks, accounts, and connections to existing and emerging application programming interfaces (APIs); Consulting services in the field of computer-based information systems for businesses” in International Class 42 on an intent-to-use basis.

7. Applicant’s Mark was published in the *Official Gazette* on September 4, 2012.

**FIRST GROUND FOR OPPOSITION:
LIKELIHOOD OF CONFUSION**

8. Facebook incorporates by reference Paragraphs 1 through 7, inclusive, as if fully set forth herein.

9. Facebook began using its FACEBOOK mark at least as early as February 2004, and filed applications resulting in federal registrations well prior to Applicant’s application to register the FACEWERK Mark or, on information and belief, any actual use by Applicant of Applicant’s Mark.

10. The FACEWERK Mark is similar to the FACEBOOK Marks in commercial impression.

11. Applicant’s intended goods and services to be offered under the FACEWERK Mark, as identified in its application, are the same as and/or highly related to Facebook’s goods and services.

12. Applicant’s intended goods and services would be offered through the same channel of trade as Facebook’s goods and services.

13. Facebook is informed and believes, and based thereon alleges, that Applicant's Mark was adopted with knowledge of, and the intent to call to mind, create a likelihood of confusion with regard to, and/or trade off the fame of Facebook and the FACEBOOK Marks.

14. Applicant's Mark suggests an affiliation or connection between Applicant and Facebook, where none exists.

15. Facebook is not affiliated or connected with Applicant or its goods or services; nor has Facebook endorsed or sponsored Applicant or its goods or services.

16. Facebook has no control over the nature and quality of the goods or services that will be offered under the FACEWERK Mark, and the value of Facebook's FACEBOOK Marks would be jeopardized by the registration of Applicant's Mark. Because of the likelihood of confusion between the parties' marks, any defects, improprieties, or faults found with Applicant's goods or services marketed under the FACEWERK Mark would negatively reflect upon and injure the reputation that Facebook has established for the goods and services it offers in connection with the FACEBOOK Marks.

17. Registration of the mark herein opposed will damage Facebook because Applicant's Mark is likely, when used on or in connection with the services described in the opposed application, to cause confusion, or to cause mistake or to deceive. Thus, Applicant's Mark is unregistrable under 15 U.S.C. §§1052, 1053, 1063 and 1125 and should be refused registration.

**SECOND GROUND FOR OPPOSITION:
DILUTION OF A FAMOUS MARK**

18. Facebook incorporates by reference Paragraphs 1 through 17 inclusive, as if fully set forth herein.

19. The FACEBOOK Marks are inherently distinctive in relation to online

networking goods and services.

20. Facebook has used the FACEBOOK trademark since at least as early as 2004 for online networking goods and services, and has expanded use of the FACEBOOK Marks to many other goods and services.

21. Facebook is the owner of numerous U.S. registrations and applications for the FACEBOOK Marks.

22. Facebook has continuously used the FACEBOOK Marks throughout the United States and internationally.

23. As a result of the enormous publicity afforded the FACEBOOK Marks, and the strong and loyal base of customers that enjoys Facebook's goods and services, the FACEBOOK Marks have a high degree of consumer recognition, are widely recognized by the general consuming public of the United States as a designation of Facebook's goods and services, and are famous.

24. The FACEBOOK Marks became famous before Applicant filed to register the FACEWERK Mark on April 3, 2012 or, on information and belief, any actual use by Applicant of Applicant's Mark.

25. Applicant's Mark is so similar to the registered FACEBOOK Marks as to be likely to cause an association between Applicant's Mark and the FACEBOOK Marks that impairs the distinctiveness of the FACEBOOK Marks and weakens the connection in the public's mind between the FACEBOOK Marks and Facebook's goods and services.

26. Applicant's Mark is likely to cause dilution by blurring based on a number of relevant considerations, including:

- (a) Applicant's Mark is similar to the FACEBOOK Marks;

(b) The FACEBOOK Marks are inherently distinctive in relation to online networking goods and services;

(c) Facebook has made substantially exclusive use of the FACEBOOK Marks in connection with online networking goods and services;

(d) The FACEBOOK Marks are widely recognized by the general consuming public;

(e) Facebook is informed and believes, and based thereon alleges, that Applicant's Mark was selected with the intention to create an association with the FACEBOOK Marks.

27. Accordingly, Applicant's Mark is unregistrable under 15 U.S.C. §§ 1052, 1053, 1063, and 1125, and should be refused registration.

Wherefore, Facebook prays that this Opposition be sustained, and that Application Serial No. 85/588,351 be refused.

Respectfully submitted,

COOLEY LLP
ANNE H. PECK
KATHRYN D. DUVALL

Date: December 21, 2012

By: Kathryn D. Duvall
Kathryn D. Duvall
Attorneys for Opposer Facebook, Inc.
Cooley LLP
777 6th St., NW
Suite 1100
Washington, D.C. 20001
T: 650-843-5000
F: 650-849-7400


CERTIFICATE OF TRANSMITTAL AND SERVICE

I hereby certify that this Notice of Opposition is being electronically transmitted in PDF format to the Trademark Trial and Appeal Board through the Electronic System for Trademark Trials and Appeals (ESTTA) on the date indicated below.

I hereby further certify that on the date indicated below, a true and correct copy of this Notice of Opposition was placed in the United States Mail via First Class Mail, addressed to applicant (also identified as correspondent for applicant) as follows:

Michael O. Moore
11203 Ranch Road 2222 Apt 508
Austin, TX 78730-1015

Date: December 21, 2012



Kathryn D. Duvall

EXHIBIT A

Int. Cls.: 35 and 38

Prior U.S. Cls.: 100, 101, 102 and 104

Reg. No. 3,041,791

United States Patent and Trademark Office

Registered Jan. 10, 2006

SERVICE MARK
PRINCIPAL REGISTER

THEFACEBOOK

THEFACEBOOK, INC. (DELAWARE CORPORATION)
471 EMERSON STREET
PALO ALTO, CA 943011605

FOR: PROVIDING AN ONLINE DIRECTORY INFORMATION SERVICE FEATURING INFORMATION REGARDING, AND IN THE NATURE OF, COLLEGIATE LIFE, CLASSIFIEDS, VIRTUAL COMMUNITY AND SOCIAL NETWORKING, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-4-2004; IN COMMERCE 2-4-2004.

FOR: PROVIDING ONLINE CHAT ROOMS FOR REGISTERED USERS FOR TRANSMISSION OF

MESSAGES CONCERNING COLLEGIATE LIFE, CLASSIFIEDS, VIRTUAL COMMUNITY AND SOCIAL NETWORKING, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 2-4-2004; IN COMMERCE 2-4-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-574,726, FILED 2-24-2005.

MATTHEW KLINE, EXAMINING ATTORNEY



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FACEBOOK

Word Mark	FACEBOOK
Goods and Services	IC 035. US 100 101 102. G & S: providing an online directory information service featuring information regarding, and in the nature of, collegiate life, classifieds, virtual community and social networking. FIRST USE: 20040204. FIRST USE IN COMMERCE: 20040204 IC 038. US 100 101 104. G & S: providing online chat rooms for registered users for transmission of messages concerning collegiate life, classifieds, virtual community and social networking. FIRST USE: 20040204. FIRST USE IN COMMERCE: 20040204
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78574726
Filing Date	February 24, 2005
Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	October 18, 2005
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	3041791
Registration Date	January 10, 2006

Owner (REGISTRANT) THEFACEBOOK, Inc. CORPORATION DELAWARE 471 Emerson Street Palo Alto
CALIFORNIA 943011605

(LAST LISTED OWNER) FACEBOOK, INC. CORPORATION DELAWARE 1601 Willow Road Menlo Park
CALIFORNIA 94025

**Assignment
Recorded** ASSIGNMENT RECORDED

**Attorney of
Record** Anne H. Peck

Type of Mark SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 8 (6-YR).

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Indicator** LIVE

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Int. Cls.: 35 and 38

Prior U.S. Cls.: 100, 101, 102, and 104

United States Patent and Trademark Office

Reg. No. 3,122,052

Registered July 25, 2006

**SERVICE MARK
PRINCIPAL REGISTER**

FACEBOOK

FACEBOOK, INC. (DELAWARE CORPORATION)
156 UNIVERSITY AVENUE
PALO ALTO, CA 94301

FOR: PROVIDING AN ONLINE DIRECTORY
INFORMATION SERVICE FEATURING INFORMATION
REGARDING, AND IN THE NATURE OF,
COLLEGIATE LIFE, CLASSIFIEDS, VIRTUAL COM-
MUNITY AND SOCIAL NETWORKING, IN CLASS
35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 11-16-2004; IN COMMERCE 11-16-2004.

FOR: PROVIDING ONLINE CHAT ROOMS FOR
REGISTERED USERS FOR TRANSMISSION OF

MESSAGES CONCERNING COLLEGIATE LIFE,
CLASSIFIEDS, VIRTUAL COMMUNITY AND SO-
CIAL NETWORKING, IN CLASS 38 (U.S. CLS. 100,
101 AND 104).

FIRST USE 11-16-2004; IN COMMERCE 11-16-2004.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SN 78-574,730, FILED 2-24-2005.

MATTHEW KLINE, EXAMINING ATTORNEY

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FACEBOOK

Word Mark	FACEBOOK
Goods and Services	(CANCELLED) IC 035. US 100 101 102. G & S: [providing an online directory information service featuring information regarding, and in the nature of, collegiate life, classifieds, virtual community and social networking]. FIRST USE: 20041116. FIRST USE IN COMMERCE: 20041116 IC 038. US 100 101 104. G & S: providing online chat rooms for registered users for transmission of messages concerning collegiate life, classifieds, virtual community and social networking. FIRST USE: 20041116. FIRST USE IN COMMERCE: 20041116
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78574730
Filing Date	February 24, 2005
Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	October 4, 2005
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	3122052
Registration Date	July 25, 2006

Owner (REGISTRANT) FACEBOOK, INC. CORPORATION DELAWARE 1601 Willow Road Menlo Park
CALIFORNIA 94025

**Assignment
Recorded** ASSIGNMENT RECORDED

**Attorney of
Record** Anne H. Peck

Type of Mark SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 8 (6-YR).

**Live/Dead
Indicator** LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST	NEXT LIST
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Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,659,516

Registered July 21, 2009

TRADEMARK
PRINCIPAL REGISTER

FACEBOOK

FACEBOOK, INC. (DELAWARE CORPORATION)
156 UNIVERSITY AVENUE
PALO ALTO, CA 94301

FOR: CLOTHING FOR MEN WOMEN, AND
CHILDREN, NAMELY, SHIRTS, T-SHIRTS, JACK-
ETS, TOPS, SWEAT SHIRTS, HEADWEAR, HATS,
CAPS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 2-0-2006; IN COMMERCE 2-0-2006.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND
3,122,052.

SN 78-981,126, FILED 8-29-2006.

EDWARD NELSON, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

FACEBOOK

Reg. No. 3,716,926 FACEBOOK, INC. (DELAWARE CORPORATION)
Registered Nov. 24, 2009 1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

Int. Cls.: 18, 20, and 21 FOR: BAGS, NAMELY, ALL PURPOSE SPORTS BAGS, ALL PURPOSE CARRYING BAGS,
BAGS AND HOLD-ALLS FOR SPORTS CLOTHING, TOTE BAGS, BOOK BAGS, CARRY-
ALL BAGS, TRAVELING BAGS, UMBRELLAS, BRIEFCASE-TYPE PORTFOLIOS, IN CLASS
18 (U.S. CLS. 1, 2, 3, 22 AND 41).

TRADEMARK
PRINCIPAL REGISTER

FIRST USE 9-0-2005; IN COMMERCE 9-0-2005.

FOR: PICTURE FRAMES, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FIRST USE 9-0-2005; IN COMMERCE 9-0-2005.

FOR: INSULATING SLEEVES FOR BEVERAGE CANS; INSULATING SLEEVES FOR
BEVERAGE BOTTLES; PORTABLE CAN COOLERS; PORTABLE BOTTLE COOLERS;
THERMALLY INSULATED CONTAINERS FOR BEVERAGES, IN CLASS 21 (U.S. CLS. 2,
13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 5-0-2009; IN COMMERCE 5-0-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND 3,122,052.

SN 77-978,174, FILED 3-7-2007.

LINDA LAVACHIE, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

FACEBOOK

Reg. No. 3,734,637 FACEBOOK, INC. (DELAWARE CORPORATION)
Registered Jan. 5, 2010 1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

Int. Cls.: 9, 38, 41, and 42 FOR: SOFTWARE TO ENABLE UPLOADING, POSTING, SHOWING, DISPLAYING, TAGGING, BLOGGING, SHARING OR OTHERWISE PROVIDING ELECTRONIC MEDIA OR INFORMATION OVER THE INTERNET OR OTHER COMMUNICATIONS NETWORK, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: AUDIO AND VIDEO BROADCASTING SERVICES OVER THE INTERNET OR OTHER COMMUNICATIONS NETWORK, NAMELY, UPLOADING, POSTING, SHOWING, DISPLAYING, TAGGING AND ELECTRONICALLY TRANSMITTING INFORMATION, AUDIO, AND VIDEO CLIPS; PROVIDING ON-LINE CHAT ROOMS, LISTSERVICES, AND ON-LINE FORUMS FOR TRANSMISSION OF MESSAGES AMONG COMPUTER USERS CONCERNING USER-DEFINED CONTENT; PROVIDING ON-LINE CHAT ROOMS AND ELECTRONIC BULLETIN BOARDS FOR TRANSMISSION OF MESSAGES AMONG USERS IN THE FIELD OF GENERAL INTEREST, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

FOR: ON-LINE JOURNALS, NAMELY, BLOGS FEATURING USER-DEFINED CONTENT, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

FOR: APPLICATION SERVICE PROVIDER (ASP) FEATURING SOFTWARE TO ENABLE UPLOADING, POSTING, SHOWING, DISPLAYING, TAGGING, BLOGGING, SHARING OR OTHERWISE PROVIDING ELECTRONIC MEDIA OR INFORMATION OVER THE INTERNET OR OTHER COMMUNICATIONS NETWORK, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND 3,122,052.

SN 77-189,479, FILED 5-24-2007.

TRACY CROSS, EXAMINING ATTORNEY



David J. K. [Signature]

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

FACEBOOK

Reg. No. 3,801,147

Registered June 8, 2010

Int. Cls.: 9, 38, 41, and
42

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: COMPUTER SOFTWARE DEVELOPMENT TOOLS FOR SOCIAL NETWORKING, BUILDING SOCIAL NETWORKING APPLICATIONS AND FOR ALLOWING DATA RETRIEVAL, UPLOAD, ACCESS AND MANAGEMENT, APPLICATION PROGRAMMING INTERFACE (API) FOR THIRD-PARTY SOFTWARE AND ONLINE SERVICES FOR SOCIAL NETWORKING, BUILDING SOCIAL NETWORKING APPLICATIONS AND FOR ALLOWING DATA RETRIEVAL, UPLOAD, ACCESS AND MANAGEMENT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: PROVIDING ACCESS TO COMPUTER DATABASES, ELECTRONIC TRANSMISSION OF INSTANT MESSAGES AND DATA, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

FOR: ELECTRONIC PUBLISHING SERVICES, NAMELY, PUBLISHING OF ONLINE WORKS OF OTHERS FEATURING USER-CREATED TEXT, AUDIO, VIDEO, AND GRAPHICS; PROVIDING ON-LINE JOURNALS AND WEB LOGS FEATURING USER-CREATED CONTENT, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

FOR: PROVIDING TEMPORARY USE OF NON-DOWNLOADABLE SOFTWARE APPLICATIONS FOR CLASSIFIEDS, VIRTUAL COMMUNITY, SOCIAL NETWORKING, PHOTO SHARING, AND TRANSMISSION OF PHOTOGRAPHIC IMAGES, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND 3,122,052.

SN 77-979,375, FILED 11-7-2006.

EDWARD NELSON, EXAMINING ATTORNEY



David J. Kypas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

FACEBOOK

Reg. No. 3,814,888

Registered July 6, 2010

Int. Cl.: 42

SERVICE MARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: PROVIDING TEMPORARY USE OF NON-DOWNLOADABLE SOFTWARE APPLICATIONS FOR VIDEO SHARING, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 6-0-2007; IN COMMERCE 6-0-2007.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND 3,122,052.

SN 77-039,123, FILED 11-7-2006.

EDWARD NELSON, EXAMINING ATTORNEY



David J. Kyros

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

FACEBOOK

Reg. No. 3,826,546

Registered July 27, 2010

Int. Cl.: 25

TRADEMARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: CLOTHING FOR MEN, WOMEN AND CHILDREN, NAMELY, BOTTOMS, PANTS,
LOUNGEWEAR, SWEAT PANTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 5-6-2010; IN COMMERCE 5-6-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND 3,122,052.

SN 78-962,629, FILED 8-29-2006.

EDWARD NELSON, EXAMINING ATTORNEY



David J. Kypas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

FACEBOOK

Reg. No. 3,881,770

Registered Nov. 23, 2010

Int. Cls.: 35, 38, 41, 42,
and 45

SERVICE MARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: ADVERTISING AND INFORMATION DISTRIBUTION SERVICES, NAMELY, PROVIDING CLASSIFIED ADVERTISING SPACE VIA THE GLOBAL COMPUTER NETWORK; PROMOTING THE GOODS AND SERVICES OF OTHERS OVER THE INTERNET; PROVIDING ON-LINE COMPUTER DATABASES AND ON-LINE SEARCHABLE DATABASES IN THE FIELD OF CLASSIFIEDS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-4-2004; IN COMMERCE 4-0-2004.

FOR: PROVIDING ONLINE CHAT ROOMS AND ELECTRONIC BULLETIN BOARDS FOR REGISTERED USERS FOR TRANSMISSION OF MESSAGES CONCERNING COLLEGIATE LIFE, GENERAL INTEREST, CLASSIFIEDS, VIRTUAL COMMUNITY, SOCIAL NETWORKING, PHOTO SHARING, AND TRANSMISSION OF PHOTOGRAPHIC IMAGES; PROVISION OF ON-LINE FORUMS FOR THE TRANSMISSION OF PHOTOGRAPHIC IMAGES; PROVISION OF ON-LINE FORUMS FOR COMMUNICATIONS ON TOPICS OF GENERAL INTEREST, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 2-4-2004; IN COMMERCE 2-4-2004.

FOR: PROVIDING ON-LINE COMPUTER DATABASES AND ON-LINE SEARCHABLE DATABASES IN THE FIELD OF COLLEGIATE LIFE CONCERNING COLLEGE ATHLETICS, CONCERTS, ENTERTAINMENT EVENTS, ART, PERFORMING ARTS, MUSIC, DANCE AND ACADEMICS; PROVIDING ON-LINE COMPUTER DATABASES AND ON-LINE SEARCHABLE DATABASES FEATURING COLLEGIATE STUDENT GROUPS CONCERNING SUBJECTS IN THE FIELDS OF ACADEMICS AND ENTERTAINMENT, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 2-4-2004; IN COMMERCE 2-4-2004.

FOR: COMPUTER SERVICES, NAMELY, HOSTING ONLINE WEB FACILITIES FOR OTHERS FOR ORGANIZING AND CONDUCTING ONLINE MEETINGS, GATHERINGS, AND INTERACTIVE DISCUSSIONS; AND COMPUTER SERVICES IN THE NATURE OF CUSTOMIZED WEB PAGES FEATURING USER-DEFINED INFORMATION, PERSONAL PROFILES AND INFORMATION; COMPUTER SERVICES, NAMELY, CREATING AN ON-LINE COMMUNITY FOR REGISTERED USERS TO PARTICIPATE IN DISCUSSION, GET FEEDBACK FROM THEIR PEERS, FORM VIRTUAL COMMUNITIES, AND ENGAGE IN SOCIAL NETWORKING; PEER-TO-BROWSER PHOTO SHARING SERVICES, NAMELY, PROVIDING A WEBSITE FEATURING TECHNOLOGY ENABLING USERS TO UPLOAD, VIEW AND DOWNLOAD DIGITAL PHOTOS, IN CLASS 42 (U.S. CLS. 100 AND 101).



David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 3,881,770 FIRST USE 2-4-2004; IN COMMERCE 2-4-2004.

FOR: INTERNET BASED INTRODUCTION AND SOCIAL NETWORKING SERVICES;
PROVIDING ON-LINE COMPUTER DATABASES AND ON-LINE SEARCHABLE DATA-
BASES IN THE FIELD OF SOCIAL NETWORKING, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 2-4-2004; IN COMMERCE 2-4-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND 3,122,052.

SN 78-920,322, FILED 6-29-2006.

EDWARD NELSON, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

FACEBOOK

Reg. No. 3,917,332

Registered Feb. 8, 2011

Int. Cls.: 18 and 21

TRADEMARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: BAGS, NAMELY, BACKPACKS, BEACH BAGS, GYM BAGS, DRAWSTRING POUCHES,
IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 5-0-2010; IN COMMERCE 5-0-2010.

FOR: BOTTLE OPENERS, PLASTIC CUPS, MUGS, CUPS, FOAM DRINK HOLDERS, GLASS
AND PORCELAIN GIFTWARE, NAMELY, CUPS; BEVERAGE GLASSWARE, IN CLASS 21
(U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 9-11-2009; IN COMMERCE 9-11-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND 3,122,052.

SN 77-125,103, FILED 3-7-2007.

LINDA LAVACHE, EXAMINING ATTORNEY



David J. Kyfas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

The Facebook logo, consisting of the word "facebook" in white lowercase letters on a dark blue rectangular background.

Reg. No. 3,935,447

Registered Mar. 22, 2011

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: COMPUTER SOFTWARE DEVELOPMENT TOOLS; COMPUTER SOFTWARE FOR USE AS AN APPLICATION PROGRAMMING INTERFACE (API); APPLICATION PROGRAMMING INTERFACE (API) FOR COMPUTER SOFTWARE WHICH FACILITATES ONLINE SERVICES FOR SOCIAL NETWORKING; BUILDING SOCIAL NETWORKING APPLICATIONS AND FOR ALLOWING DATA RETRIEVAL, UPLOAD, DOWNLOAD, ACCESS AND MANAGEMENT; COMPUTER SOFTWARE TO ENABLE UPLOADING, DOWNLOADING, ACCESSING, POSTING, DISPLAYING, TAGGING, BLOGGING, STREAMING, LINKING, SHARING OR OTHERWISE PROVIDING ELECTRONIC MEDIA OR INFORMATION VIA COMPUTER AND COMMUNICATION NETWORKS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

OWNER OF U.S. REG. NOS. 3,041,791, 3,734,637, AND OTHERS.

THE COLOR(S) BLUE AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "FACEBOOK" IN WHITE LETTERS WITH A BLUE BACKGROUND.

SN 77-896,312, FILED 12-17-2009.

JAY FLOWERS, EXAMINING ATTORNEY

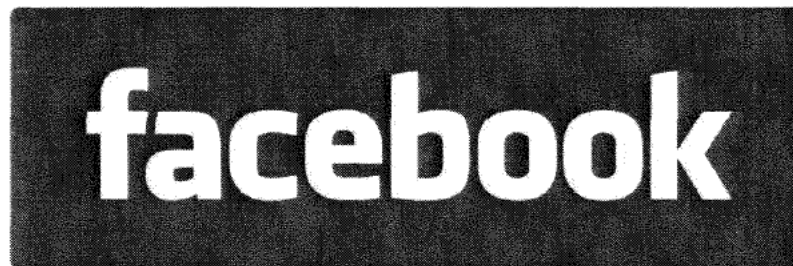


David J. Kypas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 4,099,518

Registered Feb. 14, 2012

Int. Cls.: 38 and 45

SERVICE MARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: PROVIDING ACCESS TO COMPUTER, ELECTRONIC AND ONLINE DATABASES; TELECOMMUNICATIONS SERVICES, NAMELY, ELECTRONIC TRANSMISSION OF DATA, MESSAGES AND INFORMATION; PROVIDING ONLINE FORUMS FOR COMMUNICATION ON TOPICS OF GENERAL INTEREST; PROVIDING ONLINE COMMUNICATIONS LINKS WHICH TRANSFER WEB SITE USERS TO OTHER LOCAL AND GLOBAL WEB PAGES; PROVIDING ACCESS TO WEB SITES FOR OTHERS HOSTED ON COMPUTER SERVERS ACCESSIBLE VIA A GLOBAL COMPUTER NETWORK; PROVIDING ACCESS TO THIRD PARTY WEB SITES BY ENABLING USERS TO LOG IN THROUGH A UNIVERSAL USERNAME AND PASSWORD VIA A GLOBAL COMPUTER NETWORK AND OTHER COMMUNICATION NETWORKS; PROVIDING ONLINE CHAT ROOMS AND ELECTRONIC BULLETIN BOARDS FOR TRANSMISSION OF MESSAGES AMONG USERS IN THE FIELD OF GENERAL INTEREST; AUDIO, TEXT AND VIDEO BROADCASTING SERVICES OVER THE INTERNET OR OTHER COMMUNICATIONS NETWORKS FEATURING THE UPLOADED, POSTED AND TAGGED AUDIO, TEXT AND VIDEO CONTENT OF OTHERS; AUDIO, TEXT AND VIDEO BROADCASTING SERVICES OVER THE INTERNET OR OTHER COMMUNICATIONS NETWORKS, NAMELY, ELECTRONICALLY TRANSMITTING AUDIO CLIPS, TEXT AND VIDEO CLIPS OF OTHERS, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 8-0-2005; IN COMMERCE 8-0-2005.

FOR: IDENTIFICATION VERIFICATION SERVICES, NAMELY, PROVIDING AUTHENTICATION OF PERSONAL IDENTIFICATION INFORMATION, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 12-0-2008; IN COMMERCE 12-0-2008.

OWNER OF U.S. REG. NOS. 3,041,791, 3,734,637, AND OTHERS.

THE COLOR(S) BLUE AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "FACEBOOK" IN WHITE LETTERS WITH A BLUE BACKGROUND.



David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 4,099,518 SN 77-896,318, FILED 12-17-2009.

JAY FLOWERS, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 4,102,822

Registered Feb. 21, 2012

Int. Cls.: 38, 41, and 42

SERVICE MARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: PEER-TO-PEER PHOTO SHARING SERVICES, NAMELY, ELECTRONIC TRANSMISSION OF DIGITAL PHOTO FILES AMONG INTERNET USERS, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 8-0-2005; IN COMMERCE 8-0-2005.

FOR: PROVIDING COMPUTER, ELECTRONIC AND ONLINE DATABASES IN THE FIELD OF ENTERTAINMENT AND IN THE FIELDS OF SECONDARY, COLLEGIATE, SOCIAL AND COMMUNITY INTEREST GROUPS; ON-LINE JOURNALS, NAMELY, BLOGS IN THE FIELDS OF ENTERTAINMENT, EDUCATION, SOCIAL, POLITICAL, CULTURAL, ECONOMIC, SCIENTIFIC AND GENERAL INTEREST; ELECTRONIC PUBLISHING SERVICES, NAMELY, PUBLICATION OF TEXT AND GRAPHIC WORKS OF OTHERS VIA COMPUTER AND COMMUNICATIONS NETWORKS IN THE FIELDS OF ENTERTAINMENT, EDUCATION, SOCIAL, POLITICAL, CULTURAL, ECONOMIC, SCIENTIFIC AND GENERAL INTEREST; PUBLISHING OF ELECTRONIC PUBLICATIONS; ENTERTAINMENT SERVICES, NAMELY, PROVIDING TEMPORARY USE OF INTERACTIVE, MULTIPLAYER AND SINGLE PLAYER GAMES FOR GAMES PLAYED VIA COMPUTER OR COMMUNICATION NETWORKS; PROVIDING INFORMATION ABOUT ONLINE COMPUTER GAMES AND VIDEO GAMES VIA COMPUTER OR COMMUNICATION NETWORKS; ARRANGING AND CONDUCTING COMPETITIONS FOR VIDEO GAMERS AND COMPUTER GAME PLAYERS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 8-0-2005; IN COMMERCE 8-0-2005.

FOR: PEER-TO-BROWSER PHOTO SHARING SERVICES, NAMELY, PROVIDING A WEBSITE FEATURING TECHNOLOGY ENABLING USERS TO UPLOAD, VIEW, AND DOWNLOAD DIGITAL PHOTOS; PROVIDING A WEB SITE FEATURING TECHNOLOGY THAT ENABLES USERS TO UPLOAD AND SHARE VIDEO, PHOTOS, TEXT, GRAPHICS AND DATA; CREATING AND MAINTAINING BLOGS FOR OTHERS; PROVIDING A WEB HOSTING PLATFORM FOR USE OF NON-DOWNLOADABLE SOFTWARE IN CONNECTION WITH INTERACTIVE, MULTIPLAYER AND SINGLE PLAYER GAMES FOR THIRD PARTIES, IN CLASS 42 (U.S. CLS. 100 AND 101).



David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 4,102,822 FIRST USE 8-0-2005; IN COMMERCE 8-0-2005.

OWNER OF U.S. REG. NOS. 3,041,791, 3,734,637, AND OTHERS.

THE COLOR(S) BLUE AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "FACEBOOK" IN WHITE LETTERS WITH A BLUE BACKGROUND.

SN 77-896,322, FILED 12-17-2009.

JAY FLOWERS, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 4,102,823

Registered Feb. 21, 2012

Int. Cls.: 35 and 42

SERVICE MARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: COMPILING OF INFORMATION INTO COMPUTER DATABASES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 8-0-2005; IN COMMERCE 8-0-2005.

FOR: COMPUTER SERVICES, NAMELY, CREATING ON-LINE VIRTUAL COMMUNITIES FOR REGISTERED USERS TO ORGANIZE GROUPS AND EVENTS, PARTICIPATE IN DISCUSSIONS, AND ENGAGE IN SOCIAL, BUSINESS AND COMMUNITY NETWORKING; COMPUTER SERVICES, NAMELY, HOSTING ELECTRONIC FACILITIES FOR OTHERS FOR ORGANIZING AND CONDUCTING MEETINGS, EVENTS AND INTERACTIVE DISCUSSIONS VIA COMMUNICATION NETWORKS; APPLICATION SERVICE PROVIDER (ASP) SERVICES, NAMELY, HOSTING COMPUTER SOFTWARE APPLICATIONS OF OTHERS; APPLICATION SERVICE PROVIDER (ASP) FEATURING SOFTWARE TO ENABLE OR FACILITATE THE UPLOADING, DOWNLOADING, STREAMING, POSTING, DISPLAYING, BLOGGING, LINKING, SHARING OR OTHERWISE PROVIDING ELECTRONIC MEDIA OR INFORMATION OVER COMMUNICATION NETWORKS; PROVIDING AN ONLINE NETWORK SERVICE THAT ENABLES USERS TO TRANSFER PERSONAL IDENTITY DATA TO AND SHARE PERSONAL IDENTITY DATA WITH AND AMONG MULTIPLE WEBSITES; PROVIDING A WEB SITE FEATURING TECHNOLOGY THAT ENABLES ONLINE USERS TO CREATE PERSONAL PROFILES FEATURING SOCIAL NETWORKING INFORMATION AND TO TRANSFER AND SHARE SUCH INFORMATION AMONG MULTIPLE WEBSITES; COMPUTER SERVICES, NAMELY, CREATING INDEXES OF INFORMATION, SITES AND OTHER RESOURCES AVAILABLE ON COMPUTER NETWORKS; PROVIDING TEMPORARY USE OF NON-DOWNLOADABLE SOFTWARE APPLICATIONS FOR SOCIAL NETWORKING, CREATING A VIRTUAL COMMUNITY, AND TRANSMISSION OF AUDIO, VIDEO, PHOTOGRAPHIC IMAGES, TEXT, GRAPHICS AND DATA; COMPUTER SERVICES IN THE NATURE OF CUSTOMIZED WEB PAGES FEATURING USER-DEFINED OR SPECIFIED INFORMATION, PERSONAL PROFILES, AUDIO, VIDEO, PHOTOGRAPHIC IMAGES, TEXT, GRAPHICS AND DATA, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 8-0-2005; IN COMMERCE 8-0-2005.

OWNER OF U.S. REG. NOS. 3,041,791, 3,734,637, AND OTHERS.



David J. Kappas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 4,102,824

Registered Feb. 21, 2012

Int. Cls.: 38 and 45

SERVICE MARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: PROVIDING ACCESS TO COMPUTER DATABASES IN THE FIELDS OF SOCIAL NETWORKING, SOCIAL INTRODUCTION AND DATING, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 8-0-2005; IN COMMERCE 8-0-2005.

FOR: SOCIAL INTRODUCTION, NETWORKING AND DATING SERVICES; PROVIDING SOCIAL SERVICES AND INFORMATION IN THE FIELD OF PERSONAL DEVELOPMENT, NAMELY, SELF-IMPROVEMENT, SELF-FULFILLMENT, CHARITABLE, PHILANTHROPIC, VOLUNTEER, PUBLIC AND COMMUNITY SERVICES, AND HUMANITARIAN ACTIVITIES, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 8-0-2005; IN COMMERCE 8-0-2005.

OWNER OF U.S. REG. NOS. 3,041,791, 3,734,637, AND OTHERS.

THE COLOR(S) BLUE AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "FACEBOOK" IN WHITE LETTERS WITH A BLUE BACKGROUND.

SN 77-896,325, FILED 12-17-2009.

JAY FLOWERS, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 4,102,823 THE COLOR(S) BLUE AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "FACEBOOK" IN WHITE LETTERS WITH A BLUE BACKGROUND.

SN 77-896,323, FILED 12-17-2009.

JAY FLOWERS, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 4,129,126

Registered Apr. 17, 2012

Int. Cls.: 35, 38, and 41

SERVICE MARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 WILLOW ROAD
MENLO PARK, CA 94025

FOR: MARKETING, ADVERTISING AND PROMOTION SERVICES; MARKET RESEARCH AND INFORMATION SERVICES; ADVERTISING SERVICES, NAMELY, PROMOTING THE GOODS AND SERVICES OF OTHERS VIA COMPUTER AND COMMUNICATION NETWORKS; OPERATING ON-LINE MARKETPLACES FOR SELLERS OF GOODS AND/OR SERVICES; ONLINE RETAIL STORE SERVICES FEATURING DIGITAL MEDIA, NAMELY, PRE-RECORDED DIGITAL SOUND, VIDEO AND DATA RECORDINGS FEATURING MUSIC, TEXT, VIDEO, GAMES, COMEDY, DRAMA, ACTION, ADVENTURE OR ANIMATION; CHARITABLE SERVICES, NAMELY, PROMOTING PUBLIC AWARENESS ABOUT CHARITABLE, PHILANTHROPIC, VOLUNTEER, PUBLIC AND COMMUNITY SERVICE AND HUMANITARIAN ACTIVITIES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-4-2004; IN COMMERCE 2-4-2004.

FOR: DELIVERY OF DIGITAL MUSIC BY ELECTRONIC TRANSMISSION, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 4-0-2009; IN COMMERCE 4-0-2009.

FOR: CONTEST AND INCENTIVE AWARD PROGRAMS DESIGNED TO RECOGNIZE, REWARD AND ENCOURAGE INDIVIDUALS AND GROUPS WHICH ENGAGE IN SELF-IMPROVEMENT, SELF-FULFILLMENT, CHARITABLE, PHILANTHROPIC, VOLUNTEER, PUBLIC AND COMMUNITY SERVICE AND HUMANITARIAN ACTIVITIES AND SHARING OF CREATIVE WORK PRODUCT, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 9-0-2007; IN COMMERCE 9-0-2007.

OWNER OF U.S. REG. NOS. 3,041,791, 3,734,637, AND OTHERS.

THE COLOR(S) BLUE AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "FACEBOOK" IN WHITE LETTERS WITH A BLUE BACKGROUND.



David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 4,129,126 SN 77-896,315, FILED 12-17-2009.

JAY FLOWERS, EXAMINING ATTORNEY

EXHIBIT B



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Word Mark	FACEBOOK
Goods and Services	IC 036. US 100 101 102. G & S: Financial transaction processing services, namely, clearing and reconciling financial transactions via computer and communication networks; Electronic processing and transmission of bill payment data for users of computer and communication networks; Electronic funds transfer services; Bill payment services; Financial exchange services, namely, providing a virtual currency for use by members of an online community via computer and communication networks
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.21 - Rectangles that are completely or partially shaded 26.11.25 - Rectangles with one or more curved sides
Serial Number	77896317
Filing Date	December 17, 2009
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	May 25, 2010
Owner	(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 Willow Road Menlo Park CALIFORNIA 94025
Attorney of Record	Anne H. Peck
Prior Registrations	3041791;3122052;3734637;AND OTHERS
Description of Mark	The color(s) blue and white is/are claimed as a feature of the mark. The mark consists of the word "FACEBOOK" in white letters with a blue background.
Type of Mark	SERVICE MARK
Register	PRINCIPAL

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FACEBOOK

Word Mark	FACEBOOK
Goods and Services	IC 009. US 021 023 026 036 038. G & S: Magnetically encoded gift cards IC 016. US 002 005 022 023 029 037 038 050. G & S: Gift cards IC 035. US 100 101 102. G & S: Pre-paid gift card services, namely, issuing gift card certificates that may be redeemed for goods or services
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85121339
Filing Date	September 1, 2010
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	July 26, 2011
Owner	(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 Willow Road Menlo Park CALIFORNIA 94025
Attorney of Record	Anne Peck
Prior Registrations	3734637;3793608;3881770;AND OTHERS
Type of Mark	TRADEMARK. SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Word Mark	FACEBOOK
Goods and Services	IC 009. US 021 023 026 036 038. G & S: Magnetically encoded gift cards
	IC 016. US 002 005 022 023 029 037 038 050. G & S: Gift cards
	IC 035. US 100 101 102. G & S: Pre-paid gift card services, namely, issuing gift card certificates that may be redeemed for goods or services
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.21 - Rectangles that are completely or partially shaded
Serial Number	85121349
Filing Date	September 1, 2010
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	July 26, 2011
Owner	(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 Willow Road Menlo Park CALIFORNIA 94025
Attorney of Record	Anne Peck
Prior Registrations	3734637;3793608;3881770;AND OTHERS
Description of Mark	The color(s) blue and white is/are claimed as a feature of the mark. The mark consists of the word "FACEBOOK" in white letters inside of a blue rectangle background.
Type of Mark	TRADEMARK. SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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FACEBOOK

Word Mark	FACEBOOK
Goods and Services	IC 009. US 021 023 026 036 038. G & S: Computer software development tools; Computer software for use as an application programming interface (API); Application programming interface (API) for computer software which facilitates online services for social networking, building social networking applications and for allowing data retrieval, upload, download, access and management; Computer software to enable uploading, downloading, accessing, posting, displaying, tagging, blogging, streaming, linking, sharing or otherwise providing electronic media or information via computer and communication networks
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85147879
Filing Date	October 7, 2010
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	July 26, 2011
Owner	(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 Willow Road Menlo Park CALIFORNIA 94025
Attorney of Record	Anne Peck
Prior Registrations	3734637;3793608;3881770
Type of Mark	TRADEMARK
Register	PRINCIPAL

**Live/Dead
Indicator**

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FACEBOOK

Word Mark	FACEBOOK
Goods and Services	IC 035. US 100 101 102. G & S: compiling of information into computer databases; marketing, advertising and promotion services; market research services, namely, research in the fields of collegiate life, virtual community and social networking; advertising services, namely, promoting the goods and services of others via computer and communication networks; operating on-line marketplaces for sellers of goods and/or services; online retail store services featuring digital media, namely, pre-recorded digital sound, video and data recordings featuring music, text, video, games, comedy, drama, action, adventure or animation; charitable services, namely, promoting public awareness about charitable, philanthropic, volunteer, public and community service and humanitarian activities
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85147898
Filing Date	October 7, 2010
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	February 21, 2012
Owner	(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 Willow Road Menlo Park CALIFORNIA 94025
Attorney of Record	Anne Peck
Prior Registrations	3734637;3793608;3881770
Type of Mark	SERVICE MARK

Register	PRINCIPAL
Live/Dead Indicator	LIVE

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FACEBOOK

Word Mark	FACEBOOK
Goods and Services	IC 036. US 100 101 102. G & S: Financial transaction processing services, namely, clearing and reconciling financial transactions via computer and communication networks; Electronic processing and transmission of bill payment data for users of computer and communication networks; Electronic funds transfer services; Bill payment services; Financial exchange services, namely, providing a virtual currency for use by members of an online community via computer and communication networks
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85147910
Filing Date	October 7, 2010
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	July 26, 2011
Owner	(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 Willow Road Menlo Park CALIFORNIA 94025
Attorney of Record	Anne Peck
Prior Registrations	3734637;3793608;3881770;AND OTHERS
Type of Mark	SERVICE MARK
Register	PRINCIPAL

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FACEBOOK

Word Mark FACEBOOK

Goods and Services IC 038. US 100 101 104. G & S: providing access to computer databases in the fields of social networking, social introduction and dating; peer-to-peer photo sharing services, namely, electronic transmission of digital photo files among internet users; providing access to computer, electronic and online databases; telecommunications services, namely, electronic transmission of data, messages and information; providing online forums for communication on topics of general interest; providing online communications links which transfer web site users to other local and global web pages; providing user access to third party web sites hosted on computer servers accessible via a global computer network; providing online chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; broadcast communication services, namely, electronic transmission of audio and video over computer or other communication networks, and electronic transmission of data, information, audio and video images; delivery of digital music by electronic transmission; text messaging services

Standard Characters Claimed**Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 85147930**Filing Date** October 7, 2010**Current Basis** 1B**Original Filing Basis** 1B**Published for Opposition** February 14, 2012**Owner** (APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 Willow Road Menlo Park CALIFORNIA 94025**Attorney of Record** Anne Peck

Prior Registrations 3734637;3793608;3881770
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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FACEBOOK

Word Mark FACEBOOK

Goods and Services IC 041. US 100 101 107. G & S: providing computer, electronic and online databases in the field of cultural commentary, social entertainment events, art, performing arts, music, dance, and education; on-line journals, namely, blogs in the fields of cultural commentary, social entertainment events, art, performing arts, music, dance, education, politics, culture, economics, and science; electronic publishing services, namely, publication of text and graphic works of others via computer and communications networks in the fields of cultural commentary, social entertainment events, art, performing arts, music, dance, education, politics, culture, economics, and science; publishing of electronic publications; entertainment services, namely, providing temporary use of interactive, multiplayer and single player games for games played via computer or communication networks; providing information about online non-downloadable computer games and video games via computer or communication networks; arranging and conducting competitions for video gamers and computer game players; contest and incentive award programs designed to recognize, reward and encourage individuals and groups which engage in self-improvement, self-fulfillment, charitable, philanthropic, volunteer, public and community service and humanitarian activities and sharing of creative work product

Standard Characters Claimed**Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 85147937**Filing Date** October 7, 2010**Current Basis** 1B**Original Filing Basis** 1B**Published for Opposition** March 20, 2012**Owner** (APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 Willow Road Menlo Park CALIFORNIA 94025

Attorney of Record Anne Peck
Prior Registrations 3734637;3793608;3881770;AND OTHERS
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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FACEBOOK

Word Mark FACEBOOK

Goods and Services IC 042. US 100 101. G & S: computer services, namely, creating on-line virtual communities for registered users to organize groups and events, participate in discussions, and engage in social, business and community networking; computer services, namely, hosting on-line web facilities for others for organizing and conducting meetings, events and interactive discussions via communication networks; application service provider (ASP) services, namely, hosting computer software applications of others; application service provider (ASP) featuring software to enable or facilitate the uploading, downloading, streaming, posting, displaying, blogging, linking, sharing of audio and video content, photographic images, text, graphics and data; providing an online network service that enables users to transfer personal identity data to and share personal identity data with and among multiple websites; providing a web site featuring technology that enables online users to create personal profiles featuring social networking information and to transfer and share such information among multiple websites; computer services, namely, creating indexes of information, sites and other resources available on computer networks; providing temporary use of non-downloadable software applications for enabling, facilitating, or enhancing social networking, creating a virtual community, and transmission of audio, video, photographic images, text, graphics and data; computer services in the nature of customized web pages featuring user-defined or specified information, personal profiles, audio and video content, photographic images, text, graphics and data; peer-to-browser photo sharing services, namely, providing a website featuring technology enabling users to upload, view, and download digital photos. providing a web site featuring technology that enables users to upload and share video, photos, text, graphics and data; creating and maintaining blogs for others; providing a web hosting platform for use of non-downloadable software for enabling, facilitating or enhancing interactive, multiplayer and single player games for third parties

Standard Characters Claimed**Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 85147950

Filing Date October 7, 2010
Current Basis 1B
Original Filing Basis 1B
Published for Opposition February 21, 2012
Owner (APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 Willow Road Menlo Park CALIFORNIA 94025
Attorney of Record Anne Peck
Prior Registrations 3734637;3793608;3881770;AND OTHERS
Description of Mark Color is not claimed as a feature of the mark.
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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FACEBOOK

Word Mark

FACEBOOK

Goods and Services

IC 045. US 100 101. G & S: Social introduction, networking and dating services; providing social services and information in the field of personal development, namely, self-improvement, self-fulfillment, charitable, philanthropic, volunteer, public and community services, and humanitarian activities; Identification verification services, namely, providing authentication of personal identification information. FIRST USE: 20040204. FIRST USE IN COMMERCE: 20040204

Standard Characters Claimed**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

Serial Number

85147955

Filing Date

October 7, 2010

Current Basis

1B

Original Filing Basis

1B

Published for Opposition

July 12, 2011

Owner

(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 Willow Road Menlo Park CALIFORNIA 94025

Attorney of Record

Anne Peck

Prior Registrations

3734637;3801147;AND OTHERS

Type of Mark

SERVICE MARK

Register

PRINCIPAL

**Live/Dead
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FACEBOOK

Word Mark

FACEBOOK

Goods and Services

IC 016. US 002 005 022 023 029 037 038 050. G & S: Cards, namely, business cards and non-magnetically encoded identity cards

IC 035. US 100 101 102. G & S: Business card design services

IC 040. US 100 103 106. G & S: Printing services

IC 042. US 100 101. G & S: Providing temporary use of online non-downloadable software for creating business and identity cards for facilitating social and business networking; developing customized web pages and other data feed formats featuring user-defined information in the form of online business and identity cards for facilitating social and business networking; identity card design services

Standard Characters Claimed**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

Serial Number**85440332****Filing Date**

October 5, 2011

Current Basis

1B

Original Filing Basis

1B

Published for Opposition

October 16, 2012

Owner

(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 Willow Road Menlo Park CALIFORNIA 94025

Attorney of Record

Anne H. Peck

Prior Registrations 3041791;3734637;3935447;AND OTHERS
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Word Mark	FACEBOOK
Goods and Services	IC 016. US 002 005 022 023 029 037 038 050. G & S: Cards, namely, business cards and non-magnetically encoded identity cards IC 035. US 100 101 102. G & S: Business card design services IC 040. US 100 103 106. G & S: Printing services IC 042. US 100 101. G & S: Providing temporary use of online non-downloadable software for creating business and identity cards for facilitating social and business networking; developing customized web pages and other data feed formats featuring user-defined information in the form of online business and identity cards for facilitating social and business networking; identity card design services
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.01 - Rectangles as carriers or rectangles as single or multiple line borders
Serial Number	85440333
Filing Date	October 5, 2011
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	October 16, 2012
Owner	(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 Willow Road Menlo Park CALIFORNIA 94025
Attorney of Record	Anne H. Peck
Prior Registrations	3041791;3734637;3935447;AND OTHERS

Description of Mark	The color(s) blue and white is/are claimed as a feature of the mark. The mark consists of the word "FACEBOOK" in white letters with a blue background.
Type of Mark	TRADEMARK. SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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FACE

Word Mark	FACE
Goods and Services	IC 038. US 100 101 104. G & S: Telecommunication services, namely, providing online chat rooms and electronic bulletin boards for transmission of messages among computer users in the field of general interest and concerning social and entertainment subject matter, none primarily featuring or relating to motoring or to cars
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78980756
Filing Date	December 1, 2005
Current Basis	1B
Original Filing Basis	1B;44D
Published for Opposition	May 25, 2010
Owner	(APPLICANT) FACEBOOK, INC. CORPORATION DELAWARE 1601 Willow Road Menlo Park CALIFORNIA 94025
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Anne Peck
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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